

1-28-02

ReDOSer 1644

**PATENT**

**Attorney Docket No.** 350013-66

**Serial No.** 09/424,091

**Filed:** February 23, 2000

**Title:** IMMUNOLOGICAL METHOD

**Applicant:** Richard Andrew Kay

**Group Art Unit No.** 1644

**Examiner:** Amy M. DeCloux

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**TRANSMITTAL SHEET**

Dear Ms. DeCloux:

We are transmitting herewith the attached:

- Transmittal Sheet (in duplicate)
- Submission of Sequence Listing, Computer Readable Copy . . .
- Substitute Sequence Listing (paper copy)
- Disk (ASCII format)
- Amended Version of Figure 6
- Copy of Notice to Comply with Requirements....
- Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 16-2230.  
A duplicate of this sheet is enclosed.

Respectfully submitted,



Guy Porter Smith, Reg. 20,142

**OPPENHEIMER WOLFF & DONNELLY LLP**

2029 Century Park East, Suite 3800

Los Angeles, California 90067

Telephone: (310) 788-5000

Facsimile: (310) 788-5100

Dated: January 25, 2002.

**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING  
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 C.F.R. 1.821 - 1.825 for the following reason(s):

*O I P E JC144  
JAN 25 2002  
PATENT & TRADEMARK OFFICE*

- 1. This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 C.F.R. 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 C.F.R. 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A Substitute computer readable form must be submitted as required by 37 C.F.R. 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable from of the "Sequence Listing" as required by 37 C.F.R. 1.821(e).
- 7. Other: See attached communication.

**Applicant Must Provide:**

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 C.F.R. 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d).

For questions regarding compliance to these requirements, please contact:

For Rules Interpretation, call (703) 308-4216

For CRF Submission Help, call (703) 308-4212

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**PATENT**

Attorney Docket No. 350013-66

# 11A

9/2

2-19-02

(N.E.)

Serial No. 09/424,091

Filed: February 23, 2000

Title: Immunological Method

Applicant(s): Richard Andrew Kay

Group Art Unit No. 1644

Examiner: Amy M DeCloux

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**SUBMISSION OF SEQUENCE LISTING, COMPUTER READABLE COPY  
AND/OR AMENDMENT PERTAINING THERETO FOR BIOTECHNOLOGY  
INVENTION CONTAINING NUCLEOTIDE AND/OR AMINO ACID SEQUENCE  
(37 CFR §§ 1.821-1.825)**

Dear Ms. DeCloux:

Responsive to the Office Action, mailed December 26, 2001, Applicant enclose herewith a copy of the SEQUENCE LISTING in computer readable (ASCII) form. A paper copy of the SEQUENCE LISTING in compliance with 37 CFR §§ 1.821-1.825 for the nucleotide and amino acid sequences disclosed in the above-referenced application is also submitted herewith.

**STATEMENT THAT COMPUTER READABLE COPY OF  
THE SUBSTITUTE SEQUENCE LISTING IS THE SAME AS THE  
PAPER COPY OF THE SUBSTITUTE SEQUENCE LISTING**

I hereby state:

1. The computer readable (ASCII) form of the SUBSTITUTE SEQUENCE LISTING submitted in this application is the same as the paper copy of the SUBSTITUTE SEQUENCE LISTING to which it is indicated to relate.
2. All papers accompanying this submission introduce no new matter to the accompanying application.

VERIFICATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

In response to the Office Action of December 26, 2001, please amend the above-identified application as follows:

IN THE SPECIFICATION

Page 30, line 8 and after "CATCAGAACAGAGATCTCC", please insert --

[SEQ ID NO: 1] --;

line 10 and after "GATGTCAAGCTGGTCGAGAA", please insert --

[SEQ ID NO: 2] --.

Page 36, line 9 and after "GATGTCAAGCTGGTCGAGAA", please insert --

[SEQ ID NO: 2] --;

line 11 and after "CATCAGAACAGAGATCTCC", please insert --

[SEQ ID NO: 1] --.

IN THE DRAWINGS

Please replace the table of Figure 6 with the amended version of Figure 6, appended herewith, which contains appropriate SEQ ID NOS for the primer listed therein.

REMARKS

Applicant, through undersigned counsel, wishes to thank the Examiner for the careful examination as to the formalities of the application.

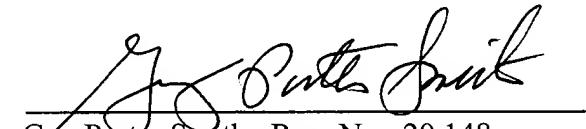
As stated above, a CRF disk copy and paper copy of the sequences disclosed in the present application are enclosed. Additionally, applicant respectfully requests that the corrected version of Figure 6, be entered and replace originally submitted Figure 6. The originally filed Figure 6 lacks the appropriate SEQ ID Nos to be associated with each primer sequence disclosed. Newly submitted Figure 6 introduces no new subject matter, and has been simply amended to

provide appropriate SEQ ID NOs. Therefore, in light of this minor formality, applicant respectfully requests entry of amended Figure 6.

In light of the Examiner's comments in the Office Action of December 26, 2001, applicant additionally requests the entry of the appropriate SEQ ID tags into the specification, as detailed above, in order to comply with the Examiner's suggestions.

Please charge any additional fees or credit overpayment to Deposit Account No. 16-2230.

Respectfully submitted,

  
\_\_\_\_\_  
Guy Porter Smith, Reg. No. 20,148  
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2029 Century Park East, Suite 3800  
Los Angeles, California 90067  
Telephone: (310) 788-5000  
Facsimile: (310) 788-5100

Dated: January 25, 2002.